

Application Number 10/693,006
Responsive to Office Action mailed February 1, 2007

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REMARKS

This Amendment is responsive to the Final Office Action dated February 1, 2007. Applicant has amended claims 1, 16, and 17, added claims 35-50, and canceled claims 14, 15, and 18-34. Claims 1-13, 16, 17, and 35-50 are pending.

Examiner Interview and Declaration Under 37 C.F.R. 1.132

On December 12, 2006, Applicant filed a Supplement Information Disclosure submitting a Declaration Under 37 C.F.R. 1.132 along with Exhibits A-D. The final Office Action mailed on February 2, 2007 did not reflect consideration of the Declaration. Applicant's attorney-of-record, Jessica H. Kwak, conducted a telephonic interview with Examiner Patel on February 14, 2007. Examiner Patel indicated that she had not reviewed the Declaration prior to issuing the final Office Action, but had reviewed it in response to Applicant's representative's phone call. Examiner Patel also indicated that written acknowledgement of her consideration of the Declaration filed on December 12, 2006 would be provided in a subsequent Office Action.

In addition, Applicant's attorney-of-record, Jessica H. Kwak, also spoke with Examiner Patel on March 11, 2007 regarding the addition of dependent claims 35-50. In particular, Applicant's representative clarified that new claims 35-48, which depend from allowed claim 7, would be added in the present Amendment. In addition, new claims 49-50 depend from claim 1, which has been amended to include allowable subject matter of claim 15.

Allowable Subject Matter

In the Final Office Action, the Examiner indicated that claims 7-8 are allowable in their present form, and objected to claims 15 and 16 as including subject matter that would be allowable if rewritten in independent form. In this amendment, Applicant has amended claim 1 to include the allowable subject matter of claim 15, including all subject matter recited by the base claims and any intervening claims on which the claim 15 depends. Claim 16 has been amended to depend from claim 1. Consequently, claims 1, 7, 8, 16 and the claims dependent therefrom are in condition for allowance. In particular, claims 2-6, 9-13, 16, and 17 depend from claim 1 and are allowable therewith, and claims 16 and 17 depend from claim 15 and are allowable therewith.

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Claim Rejection Under 35 U.S.C. § 103(a)

In the Final Office Action, claims 1 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Stein et al. (US 2004/0230246). Claims 1, 6, 9-11, 13-14 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Slipy et al. (US 5,848,152) in view of Haller et al. (US 6,804,558) and further in view of Wycherley et al. (US 6,898,283). Claims 2-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Slipy et al. in view of Haller et al. and further in view of Wycherley et al. as applied to claim 1 above, and further in view of Coutre et al. (US 5,317,506). Claim 12 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Slipy et al. in view of Haller et al. and Wycherley et al. as applied to claim 1 above, and further in view of Stroebel et al. (US 6,754,527).

In the interest of expediting prosecution of the present application, Applicant has amended the claims such that independent claim 1 includes the allowable subject matter of claim 15 (and any intervening claims). However, Applicant in no way acquiesces to or agrees with the rejection of claims presented in the Office Action. On the contrary, Applicant traverses the rejections and reserves the right to resubmit canceled and/or additional claims in a subsequent continuation application.

New Claims

As noted above in the Summary of Examiner Interview, Applicant has added claims 35-50 to the pending application. Claims 35-50 each depend from either an allowed independent claim or an independent claim that has been amended to include allowable subject matter. Accordingly, new claims 35-50 are in condition for allowance. No new matter has been added by the new claims.

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CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

By:

March 30, 2007
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